

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALLIANCE OF NONPROFITS FOR INSURANCE, RISK RETENTION GROUP,	:	
<i>Plaintiff,</i>	:	
	:	
v.	:	CIVIL NO. 23-00215
	:	
LM GENERAL INSURANCE COMPANY,	:	
<i>Defendant.</i>	:	

ORDER

AND NOW, this **5th** day of **April 2024**, upon consideration of Plaintiff Alliance of Nonprofits for Insurance, Risk Retention Group's Motion for Judgment on the Pleadings (ECF No. 17), along with the corresponding Response (ECF No. 22), and Reply (ECF No. 24), and Defendant LM General Insurance Company's Motion for Judgment on the Pleadings (ECF No. 19), along with the corresponding Response (ECF No. 21), and Reply (ECF No. 23), it is **hereby ORDERED** that for the reasons stated in the accompanying Memorandum:

1. Plaintiff's Motion for Judgment on the Pleadings (ECF No. 17) is **GRANTED** to the extent it seeks a declaration that the relevant policies are mutually repugnant and that the insurers owe coverage on an equal shares basis as described in *American Casualty Company of Reading v. PHICO Insurance Company*, 702 A.2d 1050 (Pa. 1997). Plaintiff's Motion (ECF No. 17) is **DENIED** in all other respects.

2. Defendant's Motion for Judgment on the Pleadings (ECF No. 19) is **DENIED** in its entirety.

3. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

/S/KAI N. SCOTT

HON. KAI N. SCOTT
United States District Court Judge